

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 8590

Petition of Boltonville Hydro Associates                    )  
("BHA") for approval of a short-term                        )  
power purchase agreement, pursuant to                    )  
Rule 4.100    )

Order entered: 1/13/2016

**AMENDMENT OF ORDER APPROVING PPA**

**I. INTRODUCTION**

In this Order, the Vermont Public Service Board ("Board") amends an order issued on October 30, 2015, in this proceeding.

**II. BACKGROUND AND PROCEDURAL HISTORY**

On October 30, 2015, the Vermont Public Service Board ("Board") issued an order ("October 30<sup>th</sup> Order" or "Order") approving a short-term power purchase agreement ("PPA") between Boltonville Hydro Associates ("BHA") and Vermont Electric Power Producers, Inc. ("VEPPI") for electricity output generated by BHA's 1.1 MW hydroelectric facility on the Wells River in Newbury, Vermont.

On November 13, 2015, the Vermont Department of Public Service ("Department") filed a motion to alter or amend the October 30<sup>th</sup> Order. Specifically, the Department requests the removal of footnote 1 on page 1 of the Order. The footnote at issue states that "pursuant to 3 V.S.A. § 814, the existing PPA between BHA and VEPPI is deemed not to have expired because BHA filed a timely application for renewal." The Department maintains that the footnote: (i) is not necessary to the decision to approve the PPA; (ii) is a potential misstatement of law; and (iii) will lead to confusion.

On November 18, 2015, the Board issued a procedural order requesting that responses to the Department's motion be filed with the Board by December 2, 2015.

On December 2, 2015, Green Mountain Power Corporation ("GMP") filed a response to the motion. In its letter, GMP states that it did not request a hearing regarding BHA's PPA in this proceeding because the proposed PPA would not exceed one year. GMP further states that, to the extent the Board's October 30<sup>th</sup> Order could be construed as approving a PPA that exceeds one year, GMP supports the amendment requested by the Department.

No other comments were filed.

### **III. DISCUSSION AND CONCLUSION**

The comments filed by the Department and GMP indicate that footnote 1 on page 1 of the October 30<sup>th</sup> Order may create confusion with respect to the rates applicable under the approved PPA. To avoid any potential confusion raised by the footnote and because the footnote is not material to our decision to approve the PPA at issue, we grant the Department's request. Therefore, the Order issued in this proceeding on October 30, 2015, is hereby amended to remove the footnote on page 1.

**SO ORDERED.**

Dated at Montpelier, Vermont, this 13<sup>th</sup> day of January, 2016.

<u>s/James Volz</u>	)	
	)	PUBLIC SERVICE
	)	
<u>s/Margaret Cheney</u>	)	BOARD
	)	
	)	OF VERMONT
<u>s/Sarah Hofmann</u>	)	

OFFICE OF THE CLERK

FILED: January 13, 2016

ATTEST: s/Judith C. Whitney  
Acting Clerk of the Board

*NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: [psb.clerk@vermont.gov](mailto:psb.clerk@vermont.gov))*